

§ 113.15

Before execution of the bond, the conditions must be submitted to Headquarters, Attention: Executive Director, Regulations and Rulings, Office of International Trade, for approval.

[CBP Dec. 15–15, 80 FR 70163, Nov. 13, 2015]

§ 113.15 Retention of approved bonds.

Except for bonds containing an agreement to pay court costs (condemned goods) (see § 113.72), and except as may otherwise be deemed appropriate by CBP, bonds that are approved by the port director will be retained at the port office and bonds that are approved by the Revenue Division (including bonds relating to repayment of erroneous drawback payments containing the conditions set forth in § 113.65) will be retained at the Revenue Division. The bond containing the agreement to pay court costs (condemned goods), will be transmitted to the United States attorney, as required by section 608, Tariff Act of 1930, as amended (19 U.S.C. 1608).

[CBP Dec. 15–15, 80 FR 70164, Nov. 13, 2015]

Subpart C—Bond Requirements

§ 113.21 Information required on the bond.

(a)(1) *Identification of principal and sureties.* The names of the principal and sureties and their respective places of residence must appear in the bond. In the case of a corporate principal or surety, its legal designation and the address of its principal place of business must appear.

(2) *Identification of trade names and unincorporated divisions of a corporate principal.* The principal may list on the bond trade names and the names of unincorporated divisions of the corporate principal which do not have a separate and distinct legal status who are authorized to use the bond in their own name.

(b) *Date of execution.* Each bond must bear the date it was actually executed.

(c) *Statement of the amount.* The amount of the bond must be stated in figures.

(d) *Use of abbreviations.* Abbreviations may not be used except in dates and the state of incorporation of the principal or the surety.

19 CFR Ch. I (4–1–16 Edition)

(e) *Blank spaces on the bond.* Lines must be drawn through all spaces and blocks on the bond which are not filled in.

[T.D. 84–213, 49 FR 41171, Oct. 19, 1984, as amended by CBP Dec. 15–15, 80 FR 70164, Nov. 13, 2015]

§ 113.22 Witnesses required.

(a) *Generally.* The signature of each party to a bond executed by a noncorporate principal or surety must be witnessed by two persons, who must sign their names as witnesses, and include their addresses.

(b) *Witness for both principal and surety.* When two persons signing as witnesses act for both principal and surety, they must so indicate by stating on the bond “as to both”.

(c) *Corporate principal or surety.* No witnesses are required where bonds are executed by properly authorized officers or agents of a corporate principal or corporate surety. For requirements concerning the execution of a bond by an authorized officer or agent of a corporate principal or surety, see §§ 113.33 and 113.37 of this part.

[T.D. 84–213, 49 FR 41171, Oct. 19, 1984, as amended by CBP Dec. 15–15, 80 FR 70164, Nov. 13, 2015]

§ 113.23 Changes made on the bond.

(a) *Definition of the types of changes—*
(1) *Modification or interlineation.* Modifications or interlineations are changes which go to the substance of the bond, or are basic revisions of the bond.

(2) *Alterations or erasures.* Alterations or erasures consist of minor changes, such as the correction of typographical errors, or change of address, which do not go to the substance, or result in basic revision of the bond.

(b) *Prior to signing.* When erasures, alterations, modifications, or interlineations are made on the bond prior to its signing by the parties to the bond, a statement by an agent of the surety company or by the personal sureties to that effect must be placed upon the bond.

(c) *After signing.* If erasures or alterations are made after the bond is signed, but prior to the approval of the bond by CBP, the consent of all the parties must be written on the bond. Except in cases where a change in the